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Chair: Mr. Saikal ..... (Afghanistan)

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The meeting was called to order at 10.05 a.m.

Agenda item 74: Promotion and protection of human rights

(a) Implementation of human rights instruments (A/73/40, A/73/44, A/73/48, A/73/55, A/73/56, A/73/140, A/73/207, A/73/264, A/73/281, A/73/282 and A/73/309)

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(c) Human rights situations and reports of special rapporteurs and representatives (A/73/299, A/73/308, A/73/330, A/73/332, A/73/363, A/73/380, A/73/386, A/73/397, A/73/398 and A/73/404)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (A/73/36 and A/73/399)

1. **Ms. Bachelet** (United Nations High Commissioner for Human Rights) said that at the current time the principles and institutions of the United Nations were being put to the test: multilateralism was eroding, and with it, the values and norms that underpinned the shared global commitment to human equality and human dignity. To uphold those values within the framework of the multilateral institutions that preserved dialogue and cooperation between States, human rights needed to remain a core focus of multilateralism and of the United Nations. Sustainable peace, security and development could be attained, but only if progress was made towards greater justice and equity.

2. Human rights built on each other to form a strong and interlocking basis for sound societies. Economic, social and cultural rights, as well as the right to development, helped to diminish despair, grievances and violent extremism; civil and political rights, and measures to promote equality, drove sustainable economic development to which every member of society could fully contribute. There was only one way forward: collective, cooperative work. Member States were the primary actors in delivering on human rights and in safeguarding a human rights-based multilateralism. The core vocation of the Office of the United Nations High Commissioner for Human Rights (OHCHR) was to assist Member States, the wider United Nations system and civil society to protect, respect and realize human rights.

3. Open and constructive dialogue could bring together diverging views and help achieve the systemic changes needed to ensure greater respect for human rights and sustainable peace and development. On the seventieth anniversary of the Universal Declaration of Human Rights, it was essential to take a closer look at how Member States and the United Nations system could make full use of the potential of human rights mechanisms and bodies.

4. The strong value of early warnings generated by human rights monitoring had been amply demonstrated. The human rights system was a force for prevention; when backed by the political will of key actors, effective, sustained human rights work could prevent, mitigate and help to resolve conflicts. The 2030 Agenda for Sustainable Development, which was rooted in the right to development and all other rights, could only be achieved with a focus on human rights, by addressing the root causes of insecurity, reducing inequality, ensuring stable, transparent and inclusive institutions and eliminating discrimination.

5. Introducing the annual report of the United Nations High Commissioner for Human Rights (A/HRC/37/3), she noted that the work of OHCHR spanned every region of the world and all three pillars of the United Nations, and extended across almost all United Nations mandates and the full spectrum of rights. It included technical cooperation and capacity-building; monitoring and reporting on human rights situations; advocacy -both private and public; standard-setting; and support to United Nations human rights mechanisms.

6. The Human Rights Council played an increasingly relevant role and was enhancing its efforts to make its work more visible, more efficient, more connected to New York-based bodies and other United Nations entities and more effective on the ground.

7. OHCHR provided technical cooperation in such areas as sustainable development, women's equality, and transitional justice and human rights defenders. To assist in the implementation of the 2030 Agenda, OHCHR had been leading efforts to integrate human rights in data collection and disaggregation. For example, in Kenya, it had provided advice and assistance to the National Human Rights Commission

and the National Bureau of Statistics with a view to identifying disadvantaged groups, and a series of regional workshops would seek to replicate aspects of the project in other countries. Promoting gender equality and the human rights of women was essential to all the work of OHCHR. In Tunisia, the Office had participated in a five-year process to develop a bill on eliminating violence against women and girls, in full compliance with international human rights standards, working alongside the Tunisian authorities, civil society groups and United Nations bodies. In Colombia, OHCHP was supporting a victim-centred approach to transitional justice, focusing on the protection of at-risk populations and of human rights defenders; that work needed to be matched by efforts by the authorities to address structural inequalities and the root causes of violence, emphasizing the right to equal participation and social justice.

8. The success of OHCHR in protecting and promoting rights was defined by the extent to which Member States met their human rights commitments, and every action it took was aimed ultimately at supporting States to that end. However, her Office needed the full support of the General Assembly; the support of the Fifth Committee to provide resources; and the political support of Governments. In addition, decisions taken by Member States at the Human Rights Council needed to be supported by the General Assembly and the Security Council, and vice versa.

9. In 2017, OHCHR had initiated a consultation process with Member States, United Nations entities, civil society, the private sector and its own staff with a view to developing a new four-year management plan for the period 2018–2021. The process had confirmed the ongoing value of the work of the Office under six pillars: support for the international human rights mechanisms; mainstreaming of human rights within development and peace and security efforts; and advancement of the core principles of non-discrimination, accountability and participation. OHCHR would strengthen its work to prevent conflict, violence and insecurity; help expand civic space; and help broaden the global constituency for human rights. It would also focus strongly on the 2030 Agenda, highlighting the human rights of women, children and persons with disabilities, and seek a deeper understanding of the human rights dimensions of climate change, the digital space, inequality, corruption and the displacement and movement of people.

10. **Mr. Hilale** (Morocco), speaking on behalf of the African Group, said that, for the second year running, no separate report had been submitted by OHCHR to the Committee, as in previous years. The report before the Committee provided an overview of the work undertaken by OHCHR during the period from 1 December 2016 to 30 November 2017, almost a year earlier. The Group asked whether the High Commissioner would consider returning to the previous practice of submitting a separate report to the Committee that covered a more recent reporting period.

11. In advancing the human rights agenda at the global level, the Office should take steps to guarantee non-selectivity, impartiality, transparency and objectivity, while avoiding polarization, politicization and double standards. The African Group urged the High Commissioner to pay particular attention to the realization of the right to development and to strengthen the activities of her Office focused on economic, social and cultural rights. There was also a need to respect cultural, social and religious differences between societies and communities and to refrain from imposing narrow cultural standards on others. The inclusion in the report of certain priority areas that were clearly non-consensual and did not garner the wider support of the international community was of particular concern; additional information on the process by which such priority areas were determined should be provided.

12. The African Group appreciated the work undertaken by OHCHR in the promotion and protection of the human rights of migrants, in particular to combat discrimination, and hoped that efforts would be further focused in that regard. It expressed concern about the growing reliance of OHCHR on extrabudgetary resources, including earmarked contributions, and called for the regular budget of the Office to be increased. It also called on the High Commissioner to redouble efforts to ensure more equitable geographical representation of the staff of the Office.

13. **Ms. Rodríguez Camejo** (Cuba) said that her country reiterated its support for the efforts made by OHCHR to advance the cause of human rights on the basis of objectivity, non-selectivity and impartiality. The High Commissioner was taking on her new role at a time of heightened challenges, including growing politicization, in particular against countries of the South, in addressing the issue of human rights. A clear example was the event directed against Cuba that the Government of the United States intended to hold the following day in the Economic and Social Council. Cuba denounced the attempt to use the name and premises of the United Nations to attack one of its Member States, in clear violation of the purposes and principles of the Charter of the United Nations and international law, as well as the rules of the Organization for the conduct of meetings. Both the event and the campaign that the United States was seeking to start

constituted an affront to the sovereignty of the Cuban people and disrespect for its self-determination. The United States did not have the moral authority to give lessons on human rights to Cuba, in particular under the current administration, which promoted supremacist, racist and xenophobic ideas. Cuba hoped that the United Nations, in particular its Secretariat, would not allow such aggression against one of its Member States through the manipulation of human rights.

14. **Ms. Stanescu** (Romania) said that her country reiterated its support for the independence of OHCHR. Given the importance of the indivisibility and universality of human rights, her delegation firmly believed that the international community should put an end to the numerous human rights violations in the world and that each country had a duty to take action. Her delegation deplored the lack of cooperation of some countries with OHCHR and with the mechanisms of the Human Rights Council, which undermined the mandate of the High Commissioner and the applicability and full enjoyment of human rights. It was also concerned about the deterioration of human rights in the world, which sometimes led to serious humanitarian crises, and called for efforts to protect the rights of women, children and other vulnerable persons, and to ensure freedom of religion and belief, freedom of expression and opinion, and the rights of human rights defenders. Romania opposed the continued application of the death penalty and the proposals being made in some countries for its reintroduction.

15. Her delegation wondered whether, taking into account her experience as Head of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the High Commissioner believed that closer cooperation of the treaty bodies and special procedures of the United Nations with regional organizations should be developed in order to better defend women and promote their rights, especially in conflict areas.

16. **Mr. García Moritán** (Argentina) said that the United Nations, with the support of OHCHR, should continue to incorporate, from a human rights perspective, historically marginalized groups, including children, women, older persons, persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons, indigenous peoples, afrodescendants, migrants and refugees. He asked whether international human rights law was sufficiently specific and coherent to guarantee the promotion, protection, respect and enjoyment of human rights by older persons, and their empowerment as active citizens.

17. **Mr. Lewicki** (Poland), commending OHCHR for its efforts in protecting and upholding human rights worldwide and its contribution towards building sounder societies, said that the commitment of his country to the principles and objectives enshrined in the Universal Declaration of Human Rights was exemplified by its candidature to the Human Rights Council for the period 2020–2022.

18. **Ms Al-Temimi** (Qatar) said that her country was committed to supporting the work of OHCHR. Qatar was proud to host the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, which was mandated to undertake training and documentation activities in line with international human rights standards and to support efforts within the region by Governments, United Nations agencies and programmes, national human rights institutions and non-governmental organizations. Qatar had made significant progress in terms of upholding its commitments under the international human rights conventions to which it was a party, as reflected in its domestic and international policies in areas such as education, health, the environment, labour rights, women's empowerment and the rights of children. Qatar would continue to welcome visits by special procedures mandate holders and other human rights experts.

19. **Mr. Heusgen** (Germany) said that his delegation hoped that the Security Council would prioritize human rights during his country's non-permanent membership beginning on 1 January 2019. In that context, he asked how OHCHR viewed its cooperation with the Security Council and how the Council could do more to benefit from OHCHR expertise. Given that the Secretary-General had put a significant focus on conflict prevention, in which human rights played an important role, it would be useful to learn how human rights could be more mainstreamed within the Secretary-General's conflict prevention agenda.

20. A number of Member States had founded a cross-regional Human Rights and Conflict Prevention Caucus in New York; the caucus would strongly support the High Commissioner's agenda. He asked whether the High Commissioner planned further field visits to Nicaragua.

21. **Ms. Eckels-Currie** (United States of America) said that her country had historically supported the work of OHCHR in assisting States in the implementation of their human rights commitments and was continuing to do so with significant voluntary contributions. The High Commissioner and her team should continue to strongly advocate for those who had no voice in the face of

repression, rather than use scarce resources to advance peripheral issues, pursue political agendas and further institutional biases, especially in Member States where effective remedies existed. Her delegation strongly supported mechanisms to investigate and preserve evidence of human rights violations and abuses and efforts to publicize both emergent and ongoing crises and to engage with civil society to further raise awareness, promote accountability and support human rights defenders.

22. Her delegation drew attention to the unchecked politicization and institutionalized bias of the Human Rights Council, which had informed her Government's decision to leave it and which continued unabated; the Council's biased agenda item 7 was still in place and there had been no effort to prevent or deter the election of Member States about which there were significant human rights concerns. Her delegation was also concerned about various politicized mandates that received technical assistance and support from OHCHR. Given that Member States had entrusted the High Commissioner with the mandate to promote and protect human rights for all, she should encourage special mandate holders to prioritize their attention on addressing countries that systematically abused and violated human rights.

23. **Ms. Cruz** (Spain) said that United Nations Headquarters was largely associated with the pillars of peace and security because it was the meeting place for the Security Council, while Geneva was considered the capital of human rights. However, given that threats to peace and violations of human rights were undoubtedly interrelated, it would be interesting to learn how Member States could strengthen the link between Geneva and New York and ensure that information on human rights that was available in Geneva reached the entities in New York that were responsible for safeguarding peace and security.

24. **Ms. Velichko** (Belarus) said that the legacy of OHCHR was blighted by the deep-seated politically motivated ambitions of certain Member States. Human rights problems did not stem from any unwillingness on the part of States to improve their legislation for the sake of their citizens, but from the fact that human rights were increasingly being manipulated in various countries with a view to the formation of political systems that suited the needs of certain Western powers. Since human rights could not be quantified by precise criteria or numbers, those States alleged that a human rights situation was problematic whenever they wished to exert pressure on countries – for some reason always developing countries – that had fallen out of favour with them.

25. Her delegation wished to make three suggestions to the new High Commissioner: first, it was imperative to revise the current approach to human rights, which at times verged on the absurd. Political ambitions and pressure must not supplant dialogue and a genuine desire to support the development of vulnerable population strata. Second, the United Nations should elevate the profile of the universal periodic review, which was currently the only impartial human rights monitoring mechanism of its kind. Third, OHCHR should continue to provide technical cooperation as a way of strengthening Member States' national human rights capacity.

26. **Mr. Shingiro** (Burundi) said that the dangerous tendency of some States to transform the Human Rights Council into a tool for political pressure and the pursuit of geopolitical objectives vis-à-vis the countries of the South carried the risk of compromising the Council's objectives. The drift towards excessive politicization of human rights, as well as selectivity, bias and double standards, was contrary to the principle of the universality of human rights. Efforts to reverse that trend remained crucial.

27. The artificial polarization that divided the world into "good" and "bad" human rights students must give way to dialogue and cooperation. Given the difficulties faced by the Human Rights Council and the threats posed to multilateralism, his delegation hoped that the High Commissioner would carry out in-depth reforms aimed at depoliticizing the Council and, above all, bringing it closer to the people, regardless of the size and level of development of their countries.

28. **Mr. Vieira** (Brazil) said that his delegation hoped that the tenure of the High Commissioner would be marked by independence, impartiality and autonomy. The Office could have a relevant role in advancing the prevention of human rights violations by strengthening cooperation, technical assistance and capacity-building with Member States. The primary goal of every State should be to ensure dignity and equality for all under all circumstances; violations should never be tolerated.

29. **Mr. Aldahhak** (Syrian Arab Republic) said that his delegation hoped that the High Commissioner would achieve success in reforming what had in recent years become an increasingly politicized approach to human rights that was characterized by double standards and the adoption of hostile, unprofessional and subjective positions that lacked all credibility. The adoption of aggressive and confrontational stances by certain parties, who sought to play down any positive developments in the area of human rights while simultaneously fabricating negative news coverage,

seriously impeded all efforts to build positive relations among Member States and the agencies and representatives of the United Nations.

30. It was critical to prevent certain countries from using the issue of human rights as a political weapon against other States in order to undermine their stability and security and denigrate their national choices. His delegation strongly supported the views expressed by the representative of Cuba and categorically rejected all attempts by the United States of America to promote itself as a defender of human rights when it continued to perpetrate the most heinous crimes against civilians in Syria and in numerous other States.

31. **Ms. Prizreni** (Albania) said that inclusivity and a people-centred approach in building and sustaining peace could not be achieved without a clear focus on human rights and conflict prevention. Human rights violations and violence were often the precursors to long and protracted conflicts. Quick and effective responses to crises necessitated engagement with OHCHR by all bodies of the United Nations system, particularly the Security Council. Her delegation asked how the High Commissioner planned to engage with the Council on the deterioration of the human rights situation as the root cause of most conflicts on the Council's agenda.

32. **Mr. Kawamura** (Japan) said that each human rights issue had its own particular background and sensitivities; ultimately, the countries or parties involved needed to find a path to a solution. The international community could only support them in that endeavour, while respecting their ownership. Japan had championed work on both country-specific and thematic human rights issues and was committed to working closely with OHCHR towards the well-being and freedom of all people by bridging divides and encouraging their own initiatives.

33. **Mr. Favre** (Switzerland) said that more frequent exchanges between the High Commissioner and States Members of the United Nations would enable States to react more effectively to developments on the ground. Close coordination would also help to shed light on the needs of OCHCR and the challenges it faced and ensure adequate responses by Member States. Sufficient financial support was essential for the success of the Office and the Human Rights Council in the promotion of human rights; his Government would continue its financial and political support for OHCHR and called on all Member States to strengthen the financial base of the Office.

34. It was essential to integrate human rights into all areas of United Nations activity, including those relating to preventing conflict and sustaining peace. In collaboration with Germany, his country had established the Human Rights and Conflict Prevention Caucus in support of such integration. His delegation wished to know the High Commissioner's views regarding the role of her Office following the reforms of the United Nations development system initiated by the Secretary-General.

35. **Ms. Ellertsdottir** (Iceland), speaking on behalf of the Nordic and Baltic countries, said that those countries were strong supporters of the independence and integrity of the High Commissioner and her Office. They believed that it was important to ensure cooperation and complementarity between the Human Rights Council in Geneva and the Committee in New York.

36. The promotion and protection of human rights was not only an obligation of all States but was also in their interests as a prerequisite for peace, security and sustainable development for all peoples and societies. The Nordic and Baltic countries hoped that OHCHR would continue to support a human rights-based approach in the implementation of the 2030 Agenda, and to promote efforts towards the practical implementation of international human rights obligations and recommendations at the country level. The treaty body system, its monitoring mechanisms and the universal periodic review were very valuable, but their effective functioning required ever stronger collaboration between the Office and other United Nations entities. She asked what more was needed at the United Nations level to ensure that human rights would be at the forefront of all aspects of the work of the Organization and the system-wide efforts to implement the 2030 Agenda at the country level.

37. **Ms. Bachelet** (United Nations High Commissioner for Human Rights), responding to questions and comments by delegations, said that, since her recent appointment as High Commissioner, she had engaged with Member States with a view to undertaking technical cooperation and capacity-building aimed at protecting and promoting human rights. Her Office and the Human Rights Council needed to produce results that were impartial, non-selective and objective, but it was essential for them to be given access to States in order to monitor and report on human rights situations.

38. During recent meetings, representatives and stakeholders had touched on the need for neutrality and greater representation of all geographical regions among the staff of the Office.

39. Regarding the issue of the submission to the Committee of one report rather than two, her Office had traditionally submitted two annual reports structured

around thematic priorities: one covering the period from December to November, and another covering the period from July to June. Given the high cost of producing two reports that covered an overlapping period of five months, her Office had decided to produce only one report. It was open, however, to reverting to the previous practice.

40. The right to development was a top priority for her Office. Implementation of the 2030 Agenda must be guided by the Declaration on the Right to Development, and a firm commitment to the principles and ethical, legal and moral standards that were set out in the Declaration was required to address economic, social and environmental challenges to development. The report provided details of activities that had been organized in that regard.

41. In terms of engaging with regional organizations to increase the protection of the rights of women, her mandate included mainstreaming the human rights perspective in the work of the entire United Nations system, for which partnerships had been established with UN-Women, the United Nations Development Programme and other United Nations bodies.

42. Regional organizations could play a much stronger role in prevention and early action to address potential crises. Cooperation should be strengthened between the Office and regional organizations and mechanisms, such as the African Union and the Council of Europe, as well as organizations and groups dealing with language and cultural issues, such as the International Organization of la Francophonie and the Commonwealth.

43. With regard to the issue of working in cooperation with the Security Council, many conflicts were preceded by early warning signs, but early action was often lacking. In that regard, the Human Rights Council had procedures and mechanisms in place to warn the international community of early signs of conflict, and further information could be provided to the General Assembly, the Security Council and other intergovernmental bodies on their use.

44. To ensure the integration of the human rights pillars into the Secretary-General's conflict prevention agenda, the work of the cross-regional Human Rights and Conflict Prevention Caucus and the Human Rights up Front initiative was vital. The human rights bodies provided core contributions to conflict prevention that were of value to the entire United Nations system, including universal norms and standards that established the minimum requirements of peace based on justice and human dignity and regular monitoring of whether human rights standards were being met. The entire United Nations system should embrace those powerful tools in its prevention work.

45. There were significant normative gaps in existing international human rights instruments with regard to older persons, which meant that issues such as age discrimination, adequate standards of living, support for autonomy, participation in decision-making and freedom from violence, abuse and neglect were often absent from national legislation. Improvements were needed in that regard to ensure better conditions for all.

46. Turning to the question on bridging the gap between New York and Geneva, she said that to do so the General Assembly needed to provide the Human Rights Council with full political support and financial resources to realize its mandate. In the 12 years since its establishment, the Human Rights Council had dealt with an increasing number of country situations, and had established procedures and mechanisms to build capacity at the national level and to address human rights challenges on the ground. The resolutions and recommendations of the Human Rights Council, including in the context of the universal periodic review and special procedures mandate, had helped to prevent and mitigate violations and conflict in many countries through investigative and fact-finding bodies. However, more needed to be done to address gaps between the Human Rights Council and the General Assembly. Discussions were under way on improving the efficiency and effectiveness of the Human Rights Council and forging stronger partnerships and cooperation between the Human Rights Council, the Committee and the Security Council. In addition, the Committee could consider inviting the Human Rights Council to provide regular informal or intersessional briefings.

47. The 2030 Agenda reinforced the intrinsic connection between development and human rights. Focus was placed on addressing discrimination and inequality in a manner consistent with international law as part of the commitment to leave no one behind.

48. **Mr. Giorgio** (Eritrea) said that all human rights were equal and reinforcing and should therefore be given equal emphasis; the universal periodic review mechanism should be advocated and promoted. Every member of OHCHR must be mindful that the goals of human rights could be achieved only through cooperation with Member States. His delegation noted with concern the reduction of the regular budget of the Office; the reliance by OHCHR on extrabudgetary resources, including earmarked contributions, led to attention being placed on a limited number of areas of work and eroded the independence of the Office by

subjecting it to the interests of the countries that made the largest contributions.

49. **Mr. Skoknic Tapia** (Chile) said that his delegation hoped that, under the High Commissioner's leadership, the crucial role of human rights in tackling crises would be strengthened through a field-centred approach. When dealing with situations of conflict, violence or insecurity, prevention, early warning systems and a human rights-based approach in the field were vital. His Government appreciated the support it had received from OHCHR, in particular the assistance provided for the development and implementation of the national action plan on human rights and enterprises and the quadrennial national human rights plan.

50. **Mr. Christodoulidis** (Greece) said that his country was committed to safeguarding the universal, indivisible and interdependent character of human rights and advocated their full and equal enjoyment as a prerequisite for achieving sustainable development and building peaceful and democratic societies on the basis of good governance and the rule of law. The Committee and the Human Rights Council were ideal forums for multilateralism, dialogue and consensus. His delegation requested the High Commissioner to share her views on the best way to achieve a common understanding of human rights, and asked which practices the international community could change and which should be retained in order for future work to be successful.

51. **Mr. Meza-Cuadra** (Peru) said that his delegation particularly appreciated the importance accorded by the High Commissioner to the principles of universality, impartiality, objectivity and non-selectivity, and to the threat that corruption posed to the full enjoyment of human rights. In the Security Council, Peru would continue to give priority to human rights in the prevention and resolution of conflicts, especially the rights of children and women, as the most vulnerable groups.

52. **Mr. Moussa** (Egypt) said that, in advancing the human rights agenda at the global level, the Office should guarantee non-selectivity, impartiality, transparency and objectivity and avoid polarization, politicization and double standards. Cultural, social and religious differences among communities must be respected. His delegation noted with concern the inclusion in the report of certain priority areas that were clearly non-consensual and did not have the support of the international community, including the abolition of the death penalty and discrimination on the basis of sexual orientation and gender identity. Any attempt at codifying new norms outside the intergovernmental process, including in the context of the Human Rights up Front initiative mentioned in the report, must be avoided. Member States should not use the United Nations to advance political agendas in order to attain narrow political gains.

53. **Mr. Matt** (Liechtenstein) asked how the High Commissioner viewed the recent election of 18 States to the Human Rights Council to much criticism in the media and civil society, and how such elections could be placed in the context of General Assembly resolution 60/251 establishing the mandate of the Council. In view of the unprecedented assaults on human rights defenders and journalists worldwide, which indicated a new level of systematic assaults and an expectation of impunity, he asked what response was appropriate to such worrying trends.

54. **Ms. Agladze** (Georgia) said that the report of OHCHR on cooperation with Georgia (A/HRC/39/44) clearly demonstrated that the ongoing Russian occupation of the Georgian regions of Abkhazia and Tskhinvali remained the only factor aggravating the security, human rights and humanitarian situation in those regions. The report also indicated that Georgians residing in the occupied regions were being subjected to ethnic discrimination and ethnically targeted violence, and called for accountability for unlawful deprivation of life. There was clearly a need for international security mechanisms to be created immediately on the ground. Her delegation was deeply concerned that, despite the repeated efforts of the High Commissioner and the call contained in Human Rights Council resolution 37/40, the occupying Power and its regimes had once again denied the Office access to Abkhazia and Tskhinvali. International human rights monitors must be given unimpeded access to both regions. Her delegation hoped that the issue of access would remain high on the agenda of the Office during the tenure of the current High Commissioner, and asked her how she envisioned addressing the situation in areas to which international monitoring and observation mechanisms had no access.

55. **Mr. Chu** Guang (China) said that national sovereignty must be respected while scrupulously abiding by the purposes and principles of the Charter of the United Nations, and politicization and double standards must be abandoned. His delegation expressed serious concern about the forthcoming meeting on Cuba and politicization in the Economic and Social Council. Peace and security were a prerequisite for the promotion and protection of human rights, and development was the basis for realizing all human rights. The relationship between peace, development and security must be properly managed, and an environment created that was conducive to dialogue and cooperation. The Human

Rights Council should be a platform for all parties to interact and engage in dialogue rather than one used for applying pressure and antagonizing others. The two types of human rights should be advanced in a balanced manner, and the commitment to economic, social and cultural rights should be enhanced. Operating transparency should be increased and the perspectives of Member States should be comprehensively reflected on a basis of equality with others. The serious imbalance in regional representation in the Office must be resolved as soon as possible.

56. **Mr. Whiteley** (Observer for the European Union) said that the international community should work with renewed vigour to make sure that all human rights were fully respected and that those who violated the rights of their people were challenged and held to account across the globe. The European Union and its member States strongly supported the work of the Office and the High Commissioner, and were committed to defending their effective functioning, independence and integrity. The European Union called on all States to cooperate fully with the Office, including by ensuring that special procedure mandate-holders had unhindered contact with individuals and civil society.

57. OHCHR must be equipped with the necessary financial resources and capacity to meet the increasing demands it faced. The European Union and its member States had continued to be the largest provider of voluntary contributions in 2017 and hoped that voluntary funding, including unearmarked funding, would continue to increase.

58. He asked what steps could be taken to ensure that the work of OHCHR contributed as effectively as possible to the advancement of the Secretary-General's prevention agenda, bearing in mind the Human Rights up Front initiative; what the High Commissioner saw as the main solutions to the problem of impediments to the full implementation of the Universal Declaration on Human Rights and other human rights instruments; and how best practices on human rights, including those developed by the Office, could be shared more effectively.

59. **Mr. Elizondo Belden** (Mexico) said that multilateralism was best way to address global challenges, including human rights issues. His Government would continue to play an active role in promoting human rights standards, especially with regard to vulnerable individuals, and had maintained a constructive dialogue with OHCHR and human rights mechanisms. Mexico had been involved in building and strengthening the Human Rights Council and his delegation was convinced that it was the best forum for discussing human rights; States must continue to participate constructively with a view to enhancing its operation and effectiveness.

60. **Ms. de Jong** (Netherlands) said that it was regrettable that the promotion and protection of human rights had become increasingly politicized and polarized around the globe. Human rights were under pressure worldwide and some States were not living up to their duties. Her delegation expected the High Commissioner to be critical, principled and courageous, to speak out when necessary and to ensure accountability for human rights violations wherever they occurred. It called on the High Commissioner to guarantee the independence and integrity of her Office. She asked how collaboration between the Human Rights Council and the Committee could be strengthened, and which actions should be prioritized in building resilient societies through the promotion and protection of human rights.

61. **Mr. Rangel** (Angola) said that the High Commissioner had demonstrated her dedication to the protection of human rights and fundamental freedoms and her commitment to the improvement of the work of the Office and the United Nations human rights system. He noted that many peoples of the world had made great strides towards democracy, political reform and respect for human rights in the face of common threats and attempts to impose narrow viewpoints.

62. **Mr. Al Habib** (Islamic Republic of Iran) said that the illegitimate and inhumane unilateral sanctions imposed by the United States of America against the people of Iran, particularly following its withdrawal from the Joint Comprehensive Plan of Action, in defiance of Security Council resolution 2231 (2015), had had a negative impact on the well-being of all Iranians, particularly women, children, older persons and those in need of medical attention. Those sanctions amounted to collective punishment of civilians, and similar measures in the past had left horrifying civilian casualties and killed more children than any war or armed conflict. It was indefensible that, except for the Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights, neither OHCHR nor any special procedure mandate-holders had taken a position on that indiscriminate and genocidal mass violation of the human rights of the Iranian people. The United Nations and its human rights mechanisms had a clear responsibility to confront and condemn such violations.

63. His delegation supported the legitimate request made by the representative of Cuba concerning abuse of the premises of the United Nations.

64. **Ms. Franco Nogueira Calçada Estrela** (Portugal) said that her delegation counted on the High Commissioner to promote and defend the importance of human rights in line with the legacy of her predecessors. Portugal was a close ally and staunch supporter of the independence of the Office and of universal respect for all human rights without discrimination of any kind. Her Government would continue to advocate for the elimination of the death penalty. She asked how the High Commissioner intended to address that issue.

65. Recognizing the important role played by national mechanisms for implementation, reporting and follow-up, she asked the High Commissioner how those mechanisms could promote the implementation of human rights recommendations by States.

66. **Mr. Molina Linares** (Guatemala) said that the human rights system must be strengthened in order to carry out the existing mandates and support countries in implementing recommendations that improved the promotion and protection of human rights for all, especially vulnerable groups. He stressed the importance of strengthening the human rights pillar of the United Nations.

67. **Mr. Kelly** (Ireland) said that his delegation shared the concerns raised by the High Commissioner in the Committee and in the Human Rights Council. Multilateralism, which had underpinned global stability for the past 70 years, was under threat, and the rules-based system needed the protection and support of the international community. The adoption of the 2030 Agenda demonstrated the power of multilateral engagement and the true potential of the United Nations, but delivering on the Agenda necessitated a strong focus on human rights. States had a responsibility to ensure that the victims of human rights violations and abuses remained a core focus of the work of the United Nations and that the voices of civil society and human rights defenders were an integral part of human rights discussions at United Nations forums. He asked the High Commissioner how States could better support the engagement of civil society in discussions in New York and Geneva.

68. **Mr. Elmajerbi** (Libya), noting the reference made in the report of the High Commissioner (A/HRC/37/3) to human rights abuses against illegal migrants in Libya, underscored that his country remained fully committed to upholding all international human rights accords and conventions, the political declarations issued by African summits and by the fifth African Union-European Union Summit, held in Abidjan, Ivory Coast in 2017, as well as all other regional and international agreements, including the memorandums of understanding signed by Libya with neighbouring countries.

69. Libya condemned all violations of the rights of illegal migrants perpetrated in Libyan territory by transnational criminal groups, human traffickers and terrorist groups. Libya was a transit country for illegal migrants and was neither a country of origin nor a country of destination . It was regrettable that the High Commissioner's report made no reference to the efforts being exerted by his Government to address the situation of illegal migrants and the challenges posed by migration. He asked the High Commissioner whether the Office had provided any legal assistance or training to Libya to enhance its efforts to uphold the human rights of illegal migrants.

70. **Ms. Bachelet** (United Nations High Commissioner for Human Rights), responding to questions and comments by delegations, said that when public freedoms were respected and protected, development and peace could be advanced more effectively and sustainably. When civil society engagement was restricted, responses to security threats, development challenges and other issues were ill-informed and weakened. She supported the view expressed by some delegations that the Office should be funded from the regular United Nations budget rather than extrabudgetary funds or voluntary contributions, and said that the Office would also gladly accept voluntary funding and, in particular, non-earmarked contributions, which would strengthen its work at the country level. In that connection the support of delegations would be appreciated when the relevant requests were made in the Fifth Committee.

71. Conflict prevention depended on adequate information to enable timely responses. With regard to the reform of the United Nations development system, universal norms and values must be upheld so that the system could deliver on the 2030 Agenda, which was norm-based and grounded in human rights. The gains that the system had made over the previous several years in anchoring human rights to development work, policy and doctrine and through concrete measures of support, such as deploying human rights advisers to work with resident coordinators and country teams, needed to be retained. The reform of the United Nations development system also needed to support Member States in implementing the 2030 Agenda according to a rights-based vision.

72. Turning to the issue of obstacles to the implementation of the Universal Declaration of Human Rights and the question of how the Office could better protect human rights, she said that she had seen an

intense backlash against progress made on the rights of women and minorities, which were deepening inequality, increasing violations of rights and undermining the vision of the Declaration. There was a lack of sustained political will, particularly at a time when the very concept of multilateralism was being challenged. The international community must stand up together for human rights for everyone, everywhere. The occasion of the seventieth anniversary of the Declaration was an important reminder of the events of the past and what must be avoided in the future for the sake of all of humanity.

73. Human rights had become a battlefield where political struggles were fought and lines were drawn over support for different rights, rather a constructive dialogue where all parties contributed to achieving the full spectrum of rights. The Sustainable Development Goals presented an unparalleled opportunity to move beyond such tired discourse and recognize that human rights were the foundation for both development and peace and security. To that end, economic, social and cultural rights needed to have a status equal to that of civil and political rights. It was important for OHCHR to avoid assuming the role or mandate of other specialized United Nations entities in the promotion and protection of the various rights.

74. The year 2018 was also the twentieth anniversary of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and was an important opportunity to recommit to the protection of human rights defenders. It was necessary to engage with the public more directly and effectively in such efforts and build recognition of the role of human rights defenders and civic space, and to mainstream those issues in the United Nations system.

75. In order to build resilient societies it must be ensured that all people had access to health care, adequate food, education, water and other necessities. Education, equal opportunities, diversity, respect and non-discrimination were particularly important in that regard. Laws and frameworks that upheld human rights, as well as rights-based institutions, were also an important component. Although failures and problems in human rights were well known, success stories should also be shared in order to demonstrate that progress could be made in the area of human rights and that there was hope for a better future.

76. The President of the Human Rights Council was currently working to improve its effectiveness and efficiency and she hoped that all Member States would be fully engaged in that effort. Discussions should be held to establish specific and measurable targets, deliver swift responses to human rights crises, and engage more productively with civil society, human rights defenders and grassroots activists so as to have a greater impact on the United Nations prevention and development agenda. Discussions should also focus on practical solutions to the gap between the willingness of States to implement recommendations and their ability to deliver on such commitments. There should be an inclusive platform for States to discuss the technical and financial support they needed and offer assistance to each other in their respective areas of interest.

77. On the subject of future work, she said that intersessional meetings, seminars, briefings and panel discussions were increasingly being organized on an ad hoc basis, and it would be one of the tasks of the Committee to further review the work of the Council during the period 2021-2026.

78. **Mr. Dang** Dinh Quy (Viet Nam) said that economic, social and cultural rights and the right to development needed to be treated with the same emphasis as civil and political rights. It was also imperative to end all confrontational approaches in dealing with human rights issues. The United Nations and its subsidiary bodies should serve as a platform for dialogue and cooperation, not for politicization and division. His country supported constructive engagement among Member States so as to reduce differences; the imposition of sanctions and criticism only aggravated situations. Viet Nam was committed to the promotion and protection of human rights and would continue to engage constructively with the international community to that end.

79. **Mr. Khashaan** (Saudi Arabia) underscored the importance of cooperation among States and relevant international organizations in order to promote a culture of human rights that took into account the particular cultural and religious characteristics of States. Saudi Arabia was strengthening its collaboration with international human rights mechanisms so as to build on their experiences and successfully implement best practices in the area of human rights. He called on the High Commissioner to give particular attention to the difficult humanitarian situation of many people living in the Middle East and Myanmar, whose fundamental human rights must be upheld.

80. **Ms. Rasheed** (Observer for the State of Palestine) said that over the previous year, Israel had continued to build and expand its settlements and the wall and transfer more settlers to occupied Palestine, confiscate Palestinian land, impose hundreds of checkpoints and

roadblocks, demolish Palestinian homes and property, revoke the residency rights of Palestinian residents of East Jerusalem, and take other measures intended to create a coercive environment to forcibly displace Palestinian families. All such activities were in grave violation of international law, including humanitarian and criminal law, relevant United Nations resolutions and the repeated demands of the international community to bring that unlawful situation to an end. It was important to recall Human Rights Council resolution 31/36 and the request it contained to OHCHR to produce a database of all business enterprises involved directly or indirectly in Israel's settlement enterprise in an effort to end corporate complicity in Israel's occupation. She asked the High Commissioner to update the Committee on the status of the publication of that database.

81. **Ms. Hindley** (United Kingdom) said that her Government would remain a strong supporter of OHCHR and the independence of the High Commissioner's mandate. The central tenet of the Universal Declaration of Human Rights, namely that all human beings were born free and equal in dignity and rights, was under attack in many places: in Syria, in Burma, whenever women were oppressed, and whenever the rights of lesbian, gay, bisexual and transgender persons were abused. The international community had a collective responsibility to strengthen the promotion and protection of human rights around the world; it must confront those who violated the rights of their people and it must hold human rights violators to account. Two outstanding human rights defenders had recently won the Nobel Peace Prize. Her delegation welcomed OHCHR efforts to support human rights defenders and wondered what more Member States could do to support their vital role.

82. **Mr. Arbeiter** (Canada) said that the job of the High Commissioner for Human Rights had always been challenging; however, the international community stood on a firm foundation, thanks to the rules-based international order. The challenge lay in the application of those norms and laws. While the onus was primarily on States, Canada appreciated the continued efforts of the High Commissioner and OHCHR to promote equality and counter discrimination, including in digital contexts. Canada fully agreed with her statement at the most recent LGBTI Core Group event that preventing violence should never be controversial and welcomed her efforts to integrate human rights in discussions on sustainable development; just as inequality compromised dignity, development and security, equality and respect for all was the best guarantor of resilience, growth and opportunities. In that vein, Canada welcomed the High Commissioner's emphasis on positive stories, and had appreciated hearing about the results achieved in Colombia and elsewhere. He hoped she would continue to share such stories, including in areas where OHCHR had helped to prevent impunity or mitigate the risk of conflict.

83. **Mr. Mikayilli** (Azerbaijan) said that his delegation stood ready to continue its constructive dialogue with the High Commissioner and her Office. Although internally displaced persons currently accounted for two thirds of displaced persons worldwide, the issue still did not receive sufficient attention at the global level. There had, however, been some positive developments recently, such as the adoption of the New York Declaration for Refugees and Migrants, which recognized the need for effective strategies to ensure adequate protection for internally displaced persons and to prevent and reduce such displacement. His delegation hoped that the High Commissioner and her Office would pay more attention to the problem, and would appreciate her thoughts on the matter.

84. **Ms. Matar** (Bahrain) said that her country's National Action Charter and Constitution both placed great emphasis on establishing a State that was governed by the rule of law, and the need to uphold the rule of law was a principle that lay at the heart of the reform process launched by His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain. Indeed, the National Action Charter underscored that justice was the basis of government and an essential prerequisite for the achievement of liberty, security, peace, social solidarity and equal opportunity among citizens. It also provided for the independence and immunity of the judiciary in order to protect rights and freedoms.

85. Bahrain trusted that the High Commissioner would succeed in exercising her mandate in a comprehensive, neutral and objective manner. It remained fully committed to upholding all international human rights instruments and would continue to engage with international organizations with a view to entrenching a culture of human rights both within the country and abroad. Her Government appreciated the vital technical and capacity-building assistance provided by OHCHR to enhance States' efforts to protect and promote human rights.

86. **Mr. Shulgin** (Russian Federation) said that his delegation was confident that the High Commissioner would be able to prevent the politicization of the OHCHR agenda and restore a constructive relationship between the Office and Member States. Certain Member States were frequently using human rights issues as

political or economic leverage against Governments which they disliked or which were in competition with them. Using various means to achieve their opportunistic goals, including unilateral coercive measures, they were bringing the human rights situation in some countries to the point of collapse. The Russian Federation fully supported Cuba in condemning the organization at the United Nations of brazenly politicized events aimed at disseminating unreliable information. His delegation hoped that the staff and leadership of the Secretariat would not associate themselves with such actions or take part in them.

87. A High Commissioner for Human Rights who was independent and unbiased and who responded to the root causes of human rights violations rather than the aftereffects was currently more necessary than ever. The thorny task before the current incumbent of the position was to address the protection of human rights without violating the sovereignty of States, while preserving the ethnic, cultural and religious identity of peoples.

88. **Ms. Tripathi** (India) said that the human rights agenda should be implemented under a constructive approach that took account of capacity constraints and societal contexts and was based on the primacy of national efforts. The success of the universal periodic review mechanism over the past decade was a welcome trend. Development strategies based on equality and non-discrimination, participation, inclusion and accountability were critical for building resilient societies and confronting challenges.

89. India had recently been elected to the Human Rights Council and was committed to bringing a pluralistic, moderate and balanced perspective to the Council and beyond, with the aim of bridging divides in human rights discourse and action. Her Government looked forward to working with the High Commissioner and her Office to promote and protect human rights through a constructive and collaborative approach.

90. **Mr. Bessedik** (Algeria) said that the recent commemoration of the centenary of the birth of Nelson Mandela had been an opportunity for the international community to draw inspiration from his principles and goals. His delegation believed that the independence of OHCHR was crucial, as were the interdependence and interlinkages between all human rights. The current practice of targeting certain countries should be replaced by collective and coordinated action. Lastly, he noted that food was being thrown away while many people had nothing to eat and wondered when that issue would be addressed.

91. **Mr. Ri** Song Chol (Democratic People's Republic of Korea) said that some countries were continuing to use human rights issues to infringe on the sovereignty of other countries, which only created confrontation. His delegation strongly opposed the politicized attacks against Cuba on the pretext of human rights. He called on the High Commissioner and her Office to abide by the principles of non-selectivity, non-politicization, objectivity and impartiality in their consideration of human rights issues and to ensure that human rights were never used to interfere in other countries' affairs for political reasons.

92. **Ms. Nusseibeh** (United Arab Emirates) said that she was particularly interested in the High Commissioner's pledge to give due attention to the human rights dimensions of climate change and the digital space, and would be very interested in hearing more about that work, in particular the mission to Silicon Valley.

93. The protection of human rights was primarily the responsibility of the State, and the stable, long-term advancement of human rights was best achieved through the State. The United Arab Emirates had focused on developing its own laws and institutions to effectively protect and promote human rights and on providing development assistance to help other States do the same.

94. Her delegation acknowledged the efforts of OHCHR to help Member States fulfil their human rights obligations through, for example, capacity-building and technical advice. The success of those and other activities depended on its integrity and reputation and she trusted that the High Commissioner would continue to maintain the objectivity, transparency and credibility of the Office's monitoring and reporting processes.

95. **Ms. Alfeine** (Comoros) said that her delegation had been pleased to hear that the right to development was at the heart of the High Commissioner's mandate. The universal periodic review should be strengthened, since it was the only mechanism that gave equal consideration to every country's human rights situation. Her delegation encouraged all States to increase the resources of the Voluntary Fund for Financial and Technical Assistance to allow for a more effective response to developing countries.

96. The report mentioned that OHCHR had dispatched teams to Bangladesh to conduct fact-finding activities on the situation of the Rohingya population, in the context of emergency response and early warning activities. The Human Rights Council was creating a new mechanism on Myanmar, which would take the total number of mechanisms dealing with that issue to four. She wondered how the High Commissioner would ensure coordination and data-sharing among the four mechanisms.

97. **Mr. Yaremenko** (Ukraine) said that his delegation hoped that the High Commissioner would focus on prevention of human rights violations all over the world, particularly in situations of armed conflict and foreign occupation, and the transformation of OHCHR into a more effective institution that was able to meet the challenges faced by the United Nations human rights system.

98. It was important to note that the continent of Europe was not still free from conflict. In Ukraine, Russian armed aggression had brought about a serious deterioration in the human rights situation, and his country needed the active involvement of United Nations human rights mechanisms. He counted on close cooperation with the High Commissioner and her Office in that regard and extended an invitation from his Government for her to visit Ukraine at her earliest convenience.

99. **Ms. Cordova Soria** (Plurinational State of Bolivia) said that her country stood ready to support the High Commissioner's work to promote and protect human rights, especially the rights of vulnerable groups. She was confident that the High Commissioner would perform her duties impartially, while also supporting multilateralism and avoiding politicization and double standards.

100. Her delegation joined Cuba in denouncing the intention of a Member State to use the Organization for political ends under the pretext of human rights, and joined calls for the event, due to be held on United Nations premises, to be cancelled.

101. **Mr. Ali** (Pakistan) said that a cooperative approach based on non-discrimination, impartiality and genuine dialogue would be needed to make tangible progress in the promotion and protection of human rights.

102. Pakistan remained deeply concerned by rising xenophobia and Islamophobia and incidents of religious hatred in the West. Freedom of expression must be exercised responsibly under human rights laws and standards. He asked how the High Commissioner would promote a culture of peace as well as dialogue and cooperation between religions and civilizations. Pakistan also remained concerned by the human rights abuses perpetrated against innocent populations, particularly those living under foreign occupation. The Human Rights Council should expedite the constitution of a commission of inquiry to investigate those violations. Lastly, noting that the right to development had been recognized as a fundamental human right, he asked how OHCHR would ensure the universal implementation of that right.

103. **Mr. Hermida Castillo** (Nicaragua) said that his delegation wished to express its support for Cuba and for the letter sent by the Permanent Representative of Cuba to the Secretary-General on the previous day concerning organization of events at the United Nations.

104. **Mr. Kadiri** (Nigeria) said that his delegation welcomed the priority accorded by the High Commissioner to migrants' rights, with a view to making migration safe, orderly and regular. More dialogue, balance, credibility and non-selectivity was needed within the United Nations human rights system to ensure the legitimacy of its work and outcomes, and politicization and grandstanding must be avoided in the Human Rights Council. For the Sustainable Development Goals to be achieved, all human rights, whether political, civil, economic, social or cultural, should be treated in a balanced manner. It was also imperative for the United Nations human rights system to harmonize national action to promote and protect human rights, underscoring the importance of multilateralism. Consideration should be given to scaling up the technical assistance provided to national human rights institutions, without compromising their independence.

105. **Ms. Salim** (Afghanistan) said that her country was honoured to have been elected as a member of the Human Rights Council and regarded it as an opportunity to collectively promote shared principles.

106. According to the most recent United Nations report on civilian casualties in Afghanistan, 1,692 people had lost their lives to the war in the first half of 2018. She asked how the High Commissioner would address the root causes of conflict in war-torn countries in order to guarantee the most basic of human rights, namely, the right to life.

107. **Mr. Situmorang** (Indonesia) said that the principles of universality, impartiality, non-selectivity and transparency should be the foundation of the High Commissioner's work. It was important to ensure that OHCHR discharged its mandate in a coherent, effective, objective, independent and non-politicized manner. Joint efforts must be dedicated to addressing real challenges ahead, rather than focusing on politicized issues and time- and energy-consuming complications, which led only to further polarization. Constructive dialogue and meaningful engagement remained a priority and should continue to be utilized to ensure that efforts to uphold human rights progressed. Furthermore, with the recent proliferation of human rights issues, open minds and genuine dialogue were essential. OHCHR played a crucial advocacy role in that regard.

108. **Ms. Myint** (Myanmar) said that the Human Rights Council should work with countries to protect and promote human rights based on the principles of universality, impartiality, objectivity, non-selectivity and non-politicization. Objectivity and impartiality were particularly important, especially when it came to issues that could have a far-reaching impact on a State's sovereignty.

109. Country-specific resolutions were not conducive to meaningful dialogue and gave rise to polarization, confrontation and double standards. As a member of the Movement of Non-Aligned Countries, Myanmar was opposed to country-specific mandates. Her delegation could not accept any inappropriate intervention based on manipulation of human rights that would undermine a Government's own efforts to achieve peace, national reconciliation and development.

110. **Mr. Moncada** (Bolivarian Republic of Venezuela) said that war was, by definition, a gross violation of human rights, and conflicts resulted in extensive suffering. He asked when the High Commissioner would publicly and categorically condemn the unilateral coercive measures that were being illegally applied by some countries against others in contravention of the Charter of the United Nations, and which resulted in large-scale suffering and violations of human rights. In Latin America alone, such measures were being applied against Cuba, Nicaragua and Venezuela. He also asked when she would condemn the militarization of politics, the creation of conflicts, the escalation of war rhetoric and threats relating to the use of force or the preventive use of force. The military-industrial-media complex was creating artificial conflicts, which posed a major threat worldwide and especially in the Latin American region.

111. **Ms. Bachelet** (United Nations High Commissioner for Human Rights), responding to questions and comments by delegations, said that civic space should be seen as a threshold issue not only for the human rights agenda but also for development and security more broadly. As a former minister and Head of State, she could confirm that, when civil society and other stakeholders were at the table, policymaking was usually more informed, effective and sustainable. Their participation made a critical contribution to conflict prevention and the fight against impunity and corruption. However, civil society was sometimes seen as a threat. Jailing critics and suppressing peaceful dissent did not make society safer; on the contrary, it drove legitimate and constructive opinions underground and deepened grievances. Everyone gained from the freedom to speak out, criticize public policies and demand government accountability, as it fostered social cohesion and contributed to innovation and economic progress. No Member State liked to be criticized, but it was sometimes helpful for Governments to consider whether there was room for improvement, just as it had been very useful for her to receive feedback from Member States, in particular their concerns that OHCHR should uphold the principles of universality, indivisibility, transparency, non-selectivity, objectivity and non-discrimination and that the Human Rights Council needed to be more effective.

112. It was more important than ever for States, as primary duty bearers, to create and preserve a safe and enabling environment for civil society actors, including children, in which they could contribute to the promotion and protection of all human rights without discrimination. Member States bore the primary responsibility for ensuring and facilitating broad decision-making and participation, including in implementation of the 2030 Agenda. OHCHR placed special emphasis on Sustainable Development Goal 16 on the promotion of just, inclusive and peaceful societies, and was spearheading the monitoring of indicators on human rights defenders and national human rights institutions.

113. OHCHR had been addressing religious intolerance and incitement to national, religious and racial hatred, including follow-up work relating to the Istanbul Process, largely through its mandated reporting. Since 2013, there had been two annual resolutions and two separate subsequent reporting processes to the Human Rights Council and General Assembly, respectively, on the action plan contained in Human Rights Council resolution 16/18 and increased and improved reporting by Member States in fulfilment of those two resolutions in terms of effectively implementing Human Rights Council resolution 16/18 and combating intolerance. States could consider streamlining the parallel reporting processes, either in terms of context or focus, or by adjusting the reporting time frames. They could consider a single resolution on the topic in either the General Assembly or the Human Rights Council, or perhaps rotate the resolution between the two bodies.

114. With regard to human rights in the digital space, States had an obligation to protect the privacy of individuals from unlawful or arbitrary interference by Governments or private entities. The latest report of OHCHR on the right to privacy in the digital age (A/HRC/39/29) expounded on a number of worrying trends and provided guidance on appropriate responses. Targeted surveillance measures, when implemented in compliance with international human rights law, could be an effective and necessary tool for law enforcement or national security agencies. However, in some States there was inadequate national legislation and

enforcement, weak procedural safeguards and ineffective oversight, which contributed to widespread impunity for arbitrary or unlawful interference with the right to privacy. OHCHR was also concerned about other threats to privacy, such as attempts to weaken encryption capabilities and create backdoors in software and equipment, given that encryption and anonymity were crucial enablers of the right to privacy and the right to freedom of expression. Her Office would monitor developments in that regard. Some of her colleagues were on mission in Silicon Valley to discuss with companies how human rights principles could be integrated into the digital world and how the information available in the digital space could be useful to human rights work, including in early warning and early action.

115. As to the right to food, the recent rise in world hunger called for a more robust human rights response. However, it was also important to tackle climate change, conflict and economic recession, since they tended to have a greater impact on the most marginalized groups. OHCHR would therefore continue to work with the Food and Agriculture Organization of the United Nations on policy coherence between human rights, food security and nutrition, on climate change mitigation and adaptation, and on cultivating a good consumption culture to avoid throwing away food that so many others needed to survive.

116. OHCHR had issued a report in early 2018 detailing the considerable progress made in consolidating the database of business enterprises engaged in certain specified activities related to the Israeli settlements in the Occupied Palestinian Territory. To date, OHCHR had determined that 68 companies were involved in one or more of the specified activities, of a total of 206 that were under review. OHCHR had informed those companies of their inclusion in the database and the procedure for removal. All remaining companies about which information had been received had been contacted, and OHCHR would continue to review the responses received. The Human Rights Council would probably be in possession of all the information requested by early 2019.

117. Internal displacement was an issue that OHCHR continued to follow closely, most notably through the Special Rapporteur on the human rights of internally displaced persons, in cooperation with United Nations partners. The year 2018 marked the twentieth anniversary of the adoption of the Guiding Principles on Internal Displacement, and OHCHR supported the plan of action initiated by the Special Rapporteur that would look at how to prevent, respond to and find solutions to internal displacement. Ensuring OHCHR addressed the plight of internally displaced persons was consistent with key commitments made in the 2030 Agenda and the pledge to leave no one behind.

118. Regarding coordination of the four mechanisms on Myanmar, her Office was looking, inter alia, at ways to work with Governments and the United Nations system. All the mechanisms were complementary.

119. Her Office had organized the biennial Human Rights Council panel discussion on unilateral coercive measures and human rights during the thirty-sixth session of the Council in September 2017 and supported the mandate of the Special Rapporteur on the subject. All Member States must avoid the application of any coercive measures that had a negative impact on human rights, especially those of the most vulnerable. Even carefully targeted sanctions imposed to end gross human rights violations must be subject to stringent conditions; in particular, they must be imposed no longer than necessary, they must be proportional and they must be subject to appropriate human rights safeguarding, including human rights impact assessments and monitoring conducted by independent experts. As mentioned by OHCHR on several occasions, there should be no military intervention in any region.

The meeting rose at 12.50 p.m.